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(E/1894, E/1894/Add.1, E/AC.6/L.30, E/AC.6/L.31, E/AC.6/L.32)
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Chairman:

Sir Ramaswami MUDALIAR

Members:

Mr. van der SCHUEREN	Belgium
Mr. PARKINSON	Canada
Mr. LABBE	Chile
Mr. CHA	China
Mr. KAISER	Czechoslovakia
Mr. KAYSER	France
Mr. ADARKAR	India
Mr. KHOSROVANI	Iran
Mr. LOYO	Mexico

Members:(continued)

Mr. HUSAIN	Pakistan
Mr. BARRETO	Peru
Mr. GARCIA	Philippines
Mrs. PENZIK-NARRELL	Poland
Mr. WESTERLAND	Sweden
Mr. CHERNYSHEV	Union of Soviet Socialist Republics
Mr. LEDWARD	United Kingdom of Great Britain and Northern Ireland
Mr. LUBIN	United States of America
Mr. REY VERCESI	Uruguay

Representatives of specialized agencies:

Mr. MENDEZ	International Labour Organisation (ILO)
Mr. McDOUGALL	Food and Agriculture Organization (FAO)
Mr. ARNALDO	United Nations Educational, Scientific and Cultural Organization (UNESCO)
Dr. KAUL	World Health Organization (WHO)

Representatives of Non-Governmental Organizations:

<u>Category A:</u>	Mrs. SALMON	World Federation of United Nations Associations (WFUNA)
	Mr. JAUREGUI	International Confederation of Free Trade Unions (ICFTU)
<u>Secretariat:</u>	Mr. WEINTRAUB	Director, Division of Economic Stability and Development
	Mr. DUMONTET	Secretary of the Committee

ITEM 10: INTERNATIONAL CO-OPERATION ON WATER CONTROL AND UTILIZATION
(E/1894/Add.1, E/AC.6/L.30, E/AC.6/L.31, E/AC.6/L.32)(continued)

The CHAIRMAN said that, in response to the suggestion he had made at the previous meeting, the various proposals had been embodied in a joint text submitted by France, the Philippines, the United Kingdom and the United States of America (E/AC.6/L.32).

In order to bring the operative part of the English text into line with the French text, it should be divided into two paragraphs, each beginning with the words "Requests the Secretary-General".

Mr. KAYSER (France) said that the words "en consultation avec" should be substituted for the words "après avoir consulté" in the final paragraph of the French text.

The CHAIRMAN said that that mistake would be rectified.

Mr. ADARKAR (India) suggested that the word "separate" should be inserted before the word "report" in the final paragraph in order to prevent any confusion between the two reports mentioned in the operative part.

Mr. WEINTRAUB (Secretariat) confirmed that, if the draft resolution was adopted, the Secretary-General would proceed with the preparation of two reports.

The first report would be prepared in response to the request contained in General Assembly resolution 402 (V); it would be confined to a report on what the United Nations and the specialized agencies had done or were proposing to do in regard to the arid zones and would be ready for the fourteenth session of the Council. In preparing that report, which might be regarded as an interim one, the Secretary-General would, so far as possible, take into consideration the general objectives of the resolution the Council adopted.

The second report would be prepared in conformity with the joint draft resolution; it might require longer to prepare and would take full account of the materials collected for the preparation of the first report.

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In the preparation of both reports, the Secretary-General would limit himself to materials already available and no new questionnaires would be addressed to governments. Should the joint draft resolution be adopted, neither the United Nations Secretariat nor the specialized agencies would have to modify their work programmes or priorities. The report would simply record what those organizations had done or intended to do in the field of water control and utilization. No additional funds would be requested by the Secretary-General for the preparation of the report.

Full use would of course be made of the material presented to the UNSCCUR Conference. Lastly, both reports would be prepared in close co-operation with the specialized agencies concerned.

Mr. LOYO (Mexico) said his country supported the joint draft resolution, which seemed to him to be a satisfactory synthesis of the views expressed in the course of previous discussions; it showed the readiness of States to co-operate in the field of water control and utilization.

In the past quarter of a century, Mexico had made great efforts to promote irrigation, the main stages in its programme being the establishment of a commission, then of a ministry and finally, the conclusion of a mutually advantageous agreement with the United States of America. The current programme, which had reached an advanced stage on the United States-Mexican frontier, provided for an increase of 270,000 hectares of arable land.

His delegation was of the opinion that the reports envisaged in the joint draft resolution would be useful to all countries; he would accordingly vote for its adoption.

The CHAIRMAN asked the representative of Chile whether, in view of the joint draft resolution, he wished to maintain his amendment (E/AC.6/L.30).

Mr. LABBE (Chile) recalled that in resolution 402 (V) the General Assembly had recommended the Secretary-General to prepare a report on the problem of arid zones. The United States proposal, however, dealt with the problem as a whole and the same was true of the joint draft resolution. It

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therefore followed that the proposed report would deal with the question of water control and utilization as a whole.

Although the first paragraph of the preamble of the joint draft resolution was couched in general terms, the second was confined to the problems of arid zones, i.e. to one particular aspect of the problem. It therefore seemed necessary to insert a third paragraph in the preamble to indicate the link between the particular and the general problem. The final paragraph appeared to refer to the problem as a whole, but it should perhaps be clearly specified that a general report was what was intended. According to the statement made by the representative of the Secretary-General, the first report would be confined to the General Assembly resolution, i.e. to the arid zones, while the second would deal with the problem as a whole.

Provided it was clearly stated that the report would deal with the problem as a whole, the Chilean delegation would vote for the joint draft resolution.

The CHAIRMAN asked the Peruvian delegation, which had also submitted an amendment to the United States draft resolution (E/1894), if it wished to maintain its amendment.

Mr. BARRETO (Peru) explained that his delegation had submitted its amendment so that when the Secretary-General drew up his report he should not lose sight of the legal problems arising in connexion with the control and utilization of water in force, including the problem of the sovereignty of each State over the waters in its territory. The Secretary-General's report should therefore take that important aspect of the question into account.

If as a result of the new draft resolution submitted jointly by France, the Philippines, the United Kingdom and the United States, the legal aspects were to be dealt with in a general study of the question, the Peruvian delegation was ready to withdraw its amendment, but if that were not the case, it would maintain it.

/Mr. ADARKAR

Mr. ADAKAR (India) said that in his delegation's opinion, the scope of the report would be unnecessarily widened if the legal field were also considered. It was a well-known fact that at present legislation on water control was a most complex subject. If the Secretary-General dealt with the legal aspect of the matter, he would be able to do so only superficially; all that he could say would be that international co-operation would be desirable in that field, for any suggestions he might make would be opposed by numerous countries. Furthermore, the interpretation of those suggestions could lead to regrettable confusion such as might well be prejudicial to the interests of the States concerned. The Indian delegation wondered whether the Council was the competent organ to deal with the legal aspects of the matter. The Council's task was to study the problem from the economic and technical points of view. The International Law Commission would be the appropriate body to deal with the legal aspects, and the International Court of Justice could, if necessary, give an advisory opinion.

The CHAIRMAN expressed the view that the Council could not raise the legal aspects of the matter. He asked the representative of the Secretary-General to give his opinion on that point.

Mr. WEINTRAUB (Secretariat) said he interpreted the joint draft resolution as requesting the Secretary-General to describe what the United Nations and the specialized agencies were doing or planning to do with regard to water control and utilization. The Secretary-General did not think he was called upon to deal with the legal aspects of the matter.

Mr. ARNALDO (United Nations Educational, Scientific and Cultural Organization) said he felt the joint draft resolution submitted by France, the Philippines, the United Kingdom and the United States had dispelled the concern he had expressed at the previous day's meeting with regard to the practical application of the United States draft resolution (E/1894) in respect of the programme for the arid zones. He would like to thank the representative of the United States for the understanding he had displayed, and the representatives of France, India, and the United Kingdom for their work in the drafting group which had made the achievement of a general agreement possible.

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In its present form, the joint draft resolution would permit continuation of action for the development of the arid zones, as requested by the General Assembly, and for the immediate preparation of the report thereon to be submitted to the Council in time for its fourteenth session, subject only to the consideration of taking into account the whole problem of water control and utilization in its relation to the problems of the arid zones.

The draft resolution also requested the Secretary-General to submit further a second report to the Council on the work being done by the specialized agencies and other international organizations engaged in the broad field of water control and utilization. The priority of the arid zone report was thus maintained.

He felt that the distinction drawn between the two operations resolved his fears, especially if the time factor were considered. The separation would make it unnecessary to introduce any considerable or major changes in the work as at present conducted, and the UNESCO programme would consequently not be held up. Furthermore, the report on the arid zones would be useful in the preparation of the second report on water control and utilization.

Though he had expressed a certain amount of concern on behalf of UNESCO, he would like to assure the Committee that his organization's programme for the arid zones was not a UNESCO monopoly. On the contrary, although his organization had taken the initiative in the matter, the whole programme actually was a joint enterprise of the United Nations and the other specialized agencies concerned. To his mind the concept behind UNESCO's arid zone programme was that the greatest progress came from the cross-fertilization which resulted when various disciplines studied and concentrated on a single group of problems. Such a concept was being demonstrated, for example, in respect of a large number of investigations conducted jointly by the United Nations and the specialized agencies, particularly in relation to the expanded Programme of Technical Assistance.

Mr. CHA (China) drew the attention of the authors of the joint draft resolution (E/AC.6/L.32) to the fact that in preparing its report the Secretariat would have to take into account the work of the Bureau of Flood Control of the Economic Commission for Asia and the Far East.

/The CHAIRMAN

The CHAIRMAN replied that the Secretary-General would certainly take the work of that regional commission into account as, under the resolution concerned, the report must deal with the work of international organizations engaged in the field of water control and utilization.

Mr. VENT VERONESI (Uruguay) wished to know whether the Committee still had before it the original draft resolution submitted by the delegation of the United States (document E/1894). If so, his delegation would be prepared to vote for it. He would also like to say in what order it would be voted on.

The CHAIRMAN replied that the draft resolution submitted by the United States (E/1894) had been withdrawn in favour of the joint draft resolution (E/AC.6/L.32). Moreover, it seemed to him that the draft amendment submitted by the delegation of Chile (E/AC.6/L.30) was in present circumstances no longer justified. The joint draft resolution now before the Committee should satisfy the Chilean delegation. He would therefore ask the representative of Chile whether he wished to maintain his amendment.

Mr. IARBE (Chile) took note in the first place of the withdrawal of the draft resolution submitted by the United States, the amendment of which had been proposed by his delegation. He was satisfied with the explanations given by the representative of the Secretary-General with regard to the Secretariat's interpretation of the joint draft resolution (E/AC.6/L.32). Since it was understood that the researches of the Secretariat would not be confined to the matter of the arid zones, but would be of a general nature, he saw no reason why the draft amendment (E/AC.6/L.30) submitted by his delegation should not be withdrawn.

Mr. BARRIETO (Peru) regretted, on behalf of his delegation, that the joint draft resolution (E/AC.6/L.32) seemed to ignore the legal aspects of the problem. He urged the Secretariat, in its general study of the problem of water resources, not to ignore the important legal questions raised by national legislation on the subject of the utilization of water resources, the sovereignty of each State over the water resources in its territory and the right of States not to sustain damage as a result of unilateral action taken by one or more other States. He was therefore obliged to maintain his delegation's reservations, together with the amendment which gave concrete expression to it.

/Mr. LUBIN

Mr. LUBIN (United States of America) wondered whether there was not some misunderstanding as to the scope of the draft resolution under consideration. He quoted the text of General Assembly resolution 402 (V) which recommended that the Secretary-General should prepare a report on the practical measures adopted for the study of the problems of arid zones, and on the technical and financial means employed by the specialized agencies for that purpose.

The terms of that resolution made it clear that the problem was mainly a technical one. Furthermore, under the joint draft resolution (E/AC.6/L.32), the Secretary-General was requested to submit a report on the work of the specialized agencies and other international organizations engaged in the field of water control and utilization. There again, it was a matter of technical studies. He therefore thought the draft amendment submitted by the Peruvian delegation raised an entirely new question which in his opinion was not relevant to the problem under consideration.

The CHAIRMAN put to the vote the draft amendment submitted by the delegation of Peru (E/1894/Add.1).

By 10 votes to 4, with 3 abstentions, the Peruvian draft amendment was rejected.

The CHAIRMAN then put to the vote the joint draft resolution submitted by France, the Philippines, the United Kingdom and the United States of America (E/AC.6/L.32).

The draft resolution was adopted by 15 votes to 3, with no abstentions.

Mr. LOYO (Mexico) wished to explain why he had voted against the amendment submitted by the Peruvian delegation. He reminded the Committee that the first paragraph of the preamble to the joint draft resolution (E/AC.6/L.32) provided that the co-ordination of measures taken internationally in the general field of water control and utilization be undertaken within the United Nations system.

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It was clear, therefore, that the Secretariat would have to take account of the national legislations of individual countries and of the problems raised by the sovereignty of the various States and their right not to sustain damage as a result of unilateral action by one or more other States. Consequently, it was not necessary to amend the joint draft resolution in the way indicated by the delegation of Peru.

The CHAIRMAN said he shared the Mexican representative's point of view.

The meeting rose at 11.10 a.m.

26/2. p.m.